



Purpose

To outline the responsibilities of authorized custodians and other authorized users when responding to individuals' requests for access to their health information in Alberta Netcare, in compliance with the *Health Information Act* (HIA).

Policy Statement

- Under the HIA, individuals have the right to request access to their health information, including information available in Netcare.
- Section 56.61 of the HIA specifies the process that individuals follow to request access to their health information accessible via Netcare.
- Individuals may make an access request to an authorized custodian with whom they have or had a care relationship.
- Authorized custodians must:
 - Respond to an individual's request for access to part or all of their Netcare record if the authorized custodian provides care or previously provided care to that individual.
 - Responses to a formal access request must be in accordance with Part 2 of the HIA, including evaluating records against HIA s.11 for potential exceptions.
 - Provide access to Netcare information, whether or not they created it, insofar as they can fulfill the requirements of Part 2 of the HIA.
 - Respond within the timelines set by the HIA upon receiving an access request.
- If an authorized custodian or other authorized user cannot fulfill the request:
 - Inform the individual, in writing, of the reason the access request cannot be fulfilled or is being denied in accordance with HIA section 11.
 - Inform individuals that they may also access much of their Netcare information through [MyHealth Records](#).
 - Refer the individual to another authorized custodian (e.g., primary care provider, Alberta Health Services) where reasonably possible.
 - If no such custodian can respond, refer the individual to the Department's Access to Information (ATI) Office at 780-422-5111 or email health.infoaccess@gov.ab.ca. The Department will only respond in circumstances where custodians cannot reasonably provide access.
 - Inform the individual that if they are dissatisfied with the response or believe their request was improperly handled, they may request a review by the Office of the Information and Privacy Commissioner (OIPC).
 - The Office of the Chief Medical Examiner (OCME) or an authorized user located outside of Alberta that receives an access request must refer the requester to an Alberta based authorized custodian that can respond to the request.
 - If the authorized user cannot identify an appropriate authorized custodian, they may refer the request to the HIAHelpDesk@gov.ab.ca for assistance in submitting their request.